



CHAPTER ix.

An Act for granting further powers to the Aberystwyth Gas Company. A.D. 1898.
[23rd May 1898.]

WHEREAS by the Aberystwyth Gas Act 1873 (in this Act called "the Act of 1873") the Aberystwyth Gas and Coke Company (in this Act called "the old Company") formed in the year 1839 for the purpose of supplying with gas the town of Aberystwyth and the precincts thereof were dissolved and were reconstituted by the name of the Aberystwyth Gas Company (in this Act called "the Company") and by the Act of 1873 the limits within which the Company might supply gas were defined and they were authorised to purchase the fee simple in reversion of the lands described in the schedule to that Act held on lease by the old Company from the corporation of Aberystwyth and upon which lands the old Company had erected their gasworks and which lands are in this Act referred to as "the existing site" and it was provided by the said Act that the power granted to the Company for the compulsory purchase of the fee simple in reversion of such lands might be exercised at any time during three years from the passing of that Act if the corporation of Aberystwyth should within two years after the passing of the said Act give the Company notice requiring them to purchase such fee simple but if the Company should not be so required by the corporation to purchase such fee simple the Company might purchase the same within ten years from the passing of that Act but not afterwards:

And whereas the corporation gave no notice to the Company requiring them to purchase such fee simple and the Company did not avail themselves of their powers to acquire the same within the period limited by the Act of 1873 which limited period expired in the year 1883:

And whereas the corporation desire on the termination of the lease to resume possession of the existing site and it is expedient that the Company should therefore be authorised to acquire other lands (in this Act described as "the new site") and to remove their

A.D. 1898. present gasworks thereto and to construct and maintain additional gasworks thereon :

And whereas a plan of the lands forming the new site required or which may be taken for the purposes of or under the powers of this Act and a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of such lands were duly deposited with the clerk of the peace for the county of Cardigan and are in this Act respectively referred to as the deposited plan and book of reference :

And whereas the purposes of this Act cannot be effected without the authority of Parliament :

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows :—

Short title.

1. This Act may be cited as the Aberystwyth Gas Act 1898 and the Aberystwyth Gas Act 1873 and this Act may for all purposes be cited together as the Aberystwyth Gas Acts 1873 and 1898.

Incorporation of general Acts.

2. The following Acts and parts of Acts are (except where expressly varied by this Act) incorporated with and form part of this Act (that is to say) :—

The Lands Clauses Acts ; and

The Gasworks Clauses Act 1847 :

And the Gasworks Clauses Act 1871 shall subject to the provisions of this Act apply to the undertaking of the Company as if the same had been authorised by this Act.

Interpretation.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith shall have the same respective meanings unless there be something in the subject or context repugnant to such construction.

Existing works to be discontinued before expiration of seven years and removed to new site.

4. Before the expiration of seven years from the passing of this Act the Company shall discontinue the manufacture of gas on the existing site and shall remove their buildings plant machinery and effects to and re-erect them on the new site.

Power to take lands.

5. Subject to the provisions of this Act the Company may enter upon take hold and use the lands and hereditaments described in the schedule to this Act and which are shown on the deposited plan and described in the deposited book of reference.

Correction of errors &c. in deposited plan and book of reference.

6. If any omission misstatement or erroneous description is found to have been made of any lands or of any owners lessees or occupiers of any lands shown or described or intended to be shown or described on the deposited plan or in the deposited book of

reference the Company may apply to two justices for the correction thereof after giving ten days notice to the owners lessees and occupiers of the lands affected by the proposed correction and if it appears to the justices that the omission misstatement or erroneous description arose from mistake they shall certify the same accordingly stating the particulars of the omission misstatement or erroneous description and such certificate shall be deposited with the clerk of the peace for the county of Cardigan and shall be kept by him with the other documents to which it relates and subject and according to the same enactments and provisions as apply to those other documents and thereupon the deposited plan or book of reference (as the case requires) shall be deemed to be corrected according to the certificate and the Company may enter on take hold and use those lands accordingly.

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7. Subject to the provisions of this Act the Company may upon the lands described in the schedule to this Act forming the new site in addition to the removal thereto and the reconstruction of the existing gasworks thereon erect lay down provide maintain alter improve enlarge extend and renew or discontinue additional and other gasworks retorts gasometers receivers drains sewers mains pipes meters lamps lamp-posts burners stop-cocks machinery and other works and apparatus and conveniences and may do all such acts as they think proper for making and storing gas and for supplying gas within the limits of the Act of 1873 and may make store and supply gas accordingly and may manufacture sell provide supply and deal in coke tar pitch asphaltum ammoniacal oil and all other products or residuum of any materials employed in or resulting from the manufacture of gas and also meters fittings tubes pipes and other articles and things in any way connected with gasworks or with the supply of gas as they may think fit.

Powers as to construction and maintenance of gasworks &c.

8. The powers of the Company for the compulsory purchase of lands for the purposes of this Act shall cease after the expiration of three years from the passing of this Act.

Period for compulsory purchase of lands.

9. The Company may for the purposes of their undertaking purchase take and hold (by agreement but not otherwise) in addition to the lands described in the schedule to this Act any lands and hereditaments not exceeding in the whole three acres which the Company may require for the purposes of their works and undertaking but the Company shall not create or permit a nuisance on any such lands and no lands shall be used by the Company for the purpose of manufacturing gas or residual products except the lands described in the schedule to the Act of 1873 and the schedule to this Act.

Power to purchase lands by agreement. Gas not to be manufactured on such lands.

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Restriction
on taking
houses of
labouring
class.

10. The Company shall not under the powers of this Act purchase or acquire in any city borough or other urban district or in any parish or part of a parish not being within an urban district ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Local Government Board ten or more houses which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied. For the purpose of this section the expression "labouring class" means mechanics artizans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any such persons who may be residing with them.

Power to
supply gas
fittings
engines
and other
apparatus.

11. The Company may purchase provide or hire and may supply sell or let burners tubes and stoves or ranges for heating or cooking by means of gas and any other materials or fittings for the use of gas for domestic or other purposes and also engines and machines for domestic manufacturing industrial or any other purposes whatever to be worked by means of gas for the production of motive power and any materials or fittings to be used in connexion therewith and charge for any stoves engines machines fittings and other things supplied sold or let under the powers of this Act such price rent or sum as may be agreed upon between the Company and the other party to any such agreement.

Company
may contract
with local
authority for
supply in
bulk.

12. The Company may contract with any local authority company or persons whether within or beyond the Company's limits of supply (but as to any such company public body officers or persons beyond the Company's limits of supply only with the consent in writing of the local authority of and of any company authorised by special Act or provisional order confirmed by Parliament to supply gas within the district within which the supply is to be given) for the supply to them respectively of gas in bulk upon such terms and conditions and for such periods not exceeding in any case seven years from the making of the contract as shall be agreed upon.

Provisions
with refe-
rence to sale
of under-
taking of
Company
to the cor-
poration.

13. If at any time within thirty years after the passing of this Act the corporation shall give not less than six months notice in writing to the Company of their desire to purchase the undertaking of the Company (herein-after called "the undertaking") and shall obtain the consent of the Local Government Board to such purchase

and shall apply to Parliament or the Local Government Board for power to purchase the undertaking and to supply gas within the borough of Aberystwyth it shall not be lawful for the Company to oppose such application (except as to the details thereof) and if such powers of purchase and supply be granted the Company shall sell and the corporation shall purchase the undertaking for such price or consideration and on such terms and conditions as may be agreed upon between the Company and the corporation or as failing such agreement shall be determined by arbitration :

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Provided that the amount which may have been expended by the Company in the removal to and the re-erection of the gasworks on the new site subject to depreciation shall be an element to be considered by the arbitrator in fixing the amount which shall be paid by the corporation to the Company for the purchase of the undertaking.

14. Section 56 (Limiting the price of gas) and section 57 (Quality of gas) of the Act of 1873 are hereby repealed.

Repeal of sections 56 and 57 of Act of 1873

15. The standard price to be charged by the Company for gas supplied by them shall be four shillings and three pence per thousand cubic feet :

Dividend dependent on price charged.

Provided that the Company may increase or reduce the price charged by them for gas above or below the standard price subject to a reduction or increase in the dividend payable by the Company on the ordinary share capital or stock as follows :—

In respect of any year during any part of which the price charged by the Company shall have been one penny or part of a penny above the standard price the dividend payable by the Company shall in respect of each penny or part of a penny by which the standard price shall have been increased be reduced below the standard rate of dividend by five shillings on every one hundred pounds of ordinary paid-up capital with a ten per centum standard rate of dividend and by three shillings and sixpence on every one hundred pounds of such capital with a seven per centum standard rate of dividend and so in proportion for any fraction of one hundred pounds :

And in respect of any year during the whole of which the price charged by the Company shall have been one penny or more below the standard price the dividend payable by the Company may in respect of each penny by which the standard price shall have been reduced be increased above the standard rate by five shillings on every hundred pounds of ordinary paid-up capital with a ten per centum standard rate of dividend and by three shillings and sixpence on every one hundred pounds of

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such capital with a seven per centum standard rate of dividend and so in proportion for any fraction of one hundred pounds.

Quality of
gas.

16. The prescribed number of candles shall be fifteen.

Costs of Act.

17. All the costs charges and expenses of and incident to the preparing obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Company.

SCHEDULE referred to in the foregoing Act.

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All that piece of land situate in the town of Issayndre in the parish of Llanbadarnfawr in the county of Cardigan bounded on the northern side by land belonging or reputed to belong to the Reverend John Morgan on the southern side by the Cambrian Railway on the eastern side by land belonging or reputed to belong to Hugh Hughes and on the western side by land belonging or reputed to belong to the mayor aldermen and burgesses of the borough of Aberystwyth.

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